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Attorneys for PLUMTREE SOFTWARE,
INC. AND BEA SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DATAMIZE, L.L.C., a Wyoming limited
liability corporation,

Plaintiff,

v.

PLUMTREE SOFTWARE, INC., a Delaware
corporation and BEA SYSTEMS, INC, a
Delaware corporation,

Defendants.

No. 04 2777 VRW

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO CHANGE
TIME FOR HEARING ON PLUMTREE
SOFTWARE, INC.'S MOTION TO
DISQUALIFY ROBERT A. COTE AND
MCKOOL SMITH

1 Plaintiff and Counter-Defendant Datamize, LLC. ("Datamize") and Defendants and
 2 Counter-Claimants Plumtree Software, Inc. ("Plumtree") and BEA Systems, Inc. ("BEA")
 3 jointly submit this stipulation to change the time for the hearing on Plumtree's motion to
 4 disqualify Robert A. Cote and McKool Smith. Datamize's counsel at Howard Rice is
 5 unavailable for the currently set hearing date of January 10 due to a mandatory appearance
 6 in a previously scheduled hearing in another matter pending in the United States District
 7 Court for the District of Puerto Rico.

8 THEREFORE, the Parties jointly request that the Court change the time for the hearing
 9 on Plumtree's motion to disqualify Robert A. Cote and McKool Smith from January 10 to
 10 January 17, 2008 at 2:30 p.m.

11 **SO STIPULATED**

12 DATED: December 17, 2007.

HOWARD RICE NEMEROVSKI CANADY
 FALK & RABKIN, A Professional Corporation

14 By: /s/ Jeffrey E. Faucette

JEFFREY E. FAUCETTE

16 Attorneys for Plaintiff and Counter-Defendant
 DATAMIZE, L.L.C.

17 WILSON SONSINI GOODRICH & ROSATI
 Professional Corporation

19 By: /s/ Michael B. Levin

MICHAEL B. LEVIN

21 Attorneys for Defendants and Counterclaimants
 PLUMTREE SOFTWARE, INC. and BEA
 SYSTEMS, INC.

23 **ATTESTATION**

24 I, Jeffrey E. Faucette, am the ECF User whose identification and password are being used
 25 to file this Joint Stipulation and [Proposed] Order to change the time for the hearing on
 26 Plumtree's motion to disqualify Robert A. Cote and McKool Smith. In compliance with
 27 General Order 45.X.B, I hereby attest that Michael B. Levin has concurred in this filing.
 28

1 DATED: December 17, 2007.

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN, A Professional Corporation

3 By: /s/ Jeffrey E. Faucette
JEFFREY E. FAUCETTE

Attorneys for Defendant and Counterclaimant
DATAMIZE, L.L.C.

6 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

8 DATED: 12/20/2007

